

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 07/06/2012
POSITION: Neutral
SPONSOR: State Department of Education

BILL NUMBER: AB 2662
AUTHOR: Sen Education

BILL SUMMARY: Education.

This omnibus education bill would make technical, non-substantive revisions to the law such as codifying existing practices, correcting technical errors in statute, updating cross references, and deleting obsolete references related to education issues.

FISCAL SUMMARY

It is estimated that any costs to implement the technical revisions in this bill would be minor and absorbable for the State Department of Education.

COMMENTS

The Department of Finance is neutral on this bill. It would make various technical non-substantive revisions to law.

ANALYSIS

1. Programmatic Analysis

Section 1. Instructional Quality Commission—This section would reflect the name change from the Curriculum Development and Supplemental Materials Commission to the Instructional Quality Commission. [Amends Education Code section (ECS) 33530]

Fiscal Impact: None

Section 2. District Reorganization—This section would make a grammatical revision to a section of law relating to the disposition of property tax revenues during a district reorganization. (Amends ECS 35566)

Fiscal Impact: None

Section 3. School District Lapse—This section would specify that an action to lapse a school district is also subject to plans and recommendations of the county committee on school district reorganization, as it relates to determining the most appropriate district to merge the lapsed district with and various other existing oversight activities. (Amends ECS 35787)

Fiscal Impact: None

Section 4. Reassumed Administrator Control—This section would authorize the Superintendent of Public Instruction to reassume, either directly or through an appointed administrator, all the legal rights,

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Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
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ANALYSIS (continued)

duties, and powers of the governing board of a school district if the district violates specified improvement plans during the period of the trustee's appointment. (Amends ECS 41326)

Fiscal Impact: None

Section 5. Charter Audit Exception—This section would specify that for the purpose of the provisions establishing a process for repaying an apportionment significant audit exception or to pay a penalty arising from an audit exception, "local educational agency" includes charter schools. (Amends ECS 41344)

Fiscal Impact: None

Section 6. District Budgets—This section would make various grammatical revisions to a section of law relating to annual budgeting requirements of school districts. (Amends ECS 42127)

Fiscal Impact: None

Section 7. Certification Revision—This section would specify that if a county office of education receives a qualified certification from the governing board of a district and then the county office determines a negative certification should have been filed, the county superintendent of schools shall change the certification. (Amends ECS 42131)

Fiscal Impact: None

Section 8. Certification Revision—This section would correct an obsolete citation in the provision requiring an adjustment to revenue limits to the 1995-96 fiscal year and fiscal years thereafter by the amount of increased or decreased employer contributions to the Public Employees' Retirement System resulting from the enactment of Chapter 330 of the Statutes of 1982. (Amends ECS 42238.12)

Fiscal Impact: None

Section 9. Dropouts—This section would correct a cross reference in the provisions establishing the Annual Report on Dropouts in California. (Amends ECS 48070.6)

Fiscal Impact: None

Section 10. Parent or Guardian Liability—This section would specify that the liability of a parent or guardian of any minor whose willful misconduct results in the injury or death to any specified individuals shall be adjusted annually for inflation and that the inflation adjustment be rounded to the nearest \$100. Current law requires this adjustment but does not specify the frequency. (Amends ECS 48904)

Fiscal Impact: None

Section 11. School Nutrition Funding—This section would allow a school that has previously received federal start up funds for a school breakfast program or a summer food service program to receive state funding for the same purpose. The federal grant program ended in 1991, but statute still prohibits schools that ever received a federal breakfast or summer food service start up grant from receiving a state grant for school breakfast and summer food service start up and expansion. The

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2012 Budget Act provides just over \$1 million General Fund for this purpose and the funding is targeted towards schools where twenty percent or more of enrolled students qualify for free or reduced-price meals. (Amends ECS 49550.3)

Fiscal Impact: This section could create cost pressure to fund newly eligible schools, to the extent the current level of funding is insufficient.

Section 12. Obsolete Language—This section would update an obsolete term with regard to pupils with intellectual disabilities. (Amends ECS 51765)

Fiscal Impact: None

Section 13. Supplemental Instructional Materials—This section would clarify that county offices of education have the authority to approve supplemental instructional materials. (Amends ECS 60605.86)

Fiscal Impact: None

Sections 14 and 16. Average Daily Attendance—Section 14 would extend the fiscal years in which payments from the California State Lottery Education Fund are based on average daily attendance data for adult schools and regional occupational centers from the 2007-08 fiscal year. More recent average daily attendance data is not available because it has not been used or collected since expenditures for those programs became flexed. Section 16 would state that the Legislature finds and declares that section 14 furthers the purposes of the California State Lottery Act of 1984. (Amends ECS 8880.5)

Fiscal Impact: None

Section 15. Certification Revision—This section would make various grammatical amendments to Revenue and Taxation Code pertaining to allocation of property taxes to local educational agencies and add a reference to a separate section of Revenue and Tax Code that defines an excess tax school entity. (Amends Revenue and Taxation Code 75.70)

Fiscal Impact: None

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP					Fund		
	RV	98	FC	2012-2013	FC	2013-2014	FC	2014-2015	Code
6110/Dept of Educ	SO	No		-----	No/Minor Fiscal Impact	-----			0001